IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIFTEENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE N.V. RAMANA

WRIT PETITION NO.11428 of 1998

Between:

Sri Lakshminaryana Contractors,Rep.by its Managing Partner R.Ramandham, S/o Chinna Venkata Subbaiah
R/o 5-25, Prakashnagar, Nellore.

..... PETITIONER

AND

1 The Government of Andhra Pradesh, Rep.by its Secretary, Irrigation I

& CAD (PW & CWD) Department,Secretariat,
Buildings,Hyderabad.
2 The Chief Engineer, Telugu Ganga Project, Sri Kalahasthi
Chittoor District.
3 The Superintending Engineer, Telugu Ganga Project Circle,
Nellore.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in finalising the contract work "Earth work excavation of first branch canal of Kandaleru, Poondi canal from Km.4.000 to Km 4.700 (excluding gap portion from Km.4.450 to Km.4.500) under KP Canal, in terms of G.O.Ms.No.182,dt.27-9-97 by awarding the contract work to the lowest tenderer amongst the eligible tenderers as illegal, arbitrary, discriminatory, violative of the Art.14 of the Constitution of India and consequently direct the respondent to finalise

the tenders forthwith strictly adhering to the G.O.Ms.No.182, dt 27-9-97 by awarding the contract work to the lowest tenderer amongst the eligible tenderers.

Counsel for the Petitioner: MR.P.SRIDHAR REDDY (Not present)
Counsel for the Respondents: GP FOR IRRIGATION & COMM AREA DEV.

The Court made the following:

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ORDER:

This writ petition is filed seeking to declare the action of the respondents in finalising and awarding the contract work i.e., "Earth work excavation of first branch canal of Kandaleru, Poondi canal from Km.4.000 to Km. 4.700 (excluding gap portion from Km.4.450 to Km.4.500) under KP Canal" to the lowest tenderer amongst the eligible tenderers as illegal and arbitrary.

When the matter is taken up today for hearing, none appears for the petitioner. Learned Government Pleader appearing for the respondents submitted that by lapse of time the prayer in the writ petition has become infructuous.

Recording the said submission, the writ petition is dismissed as having become infructuous. No costs.

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N.V. RAMANA, J.

Date: 15.03.2005

Nsr

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Secretary, Irrigation I

& CAD (PW & CWD) Department, Government of Andhra Pradesh,

Secretariat Buildings,Hyderabad.

2 The Chief Engineer, Telugu Ganga Project, Sri Kalahasthi
Chittoor District.

3 The Superintending Engineer, Telugu Ganga Project Circle,
Nellore.

4 Two CCs to GP for Irrigation and Commercial Area Development,

High Court of AP, Hyderabad (OUT)

5 Two CD copies

*Form-NIC-OGS/WP{**PRASAD**}*